

# Ordinance No. 00561

## ORDINANCE NO. 561

AN ORDINANCE of the City Council of the City of Lakewood, Washington, vacating a portion of Chicago Avenue SW.

WHEREAS, the City Council of the City of Lakewood, Washington, has initiated a vacation of a portion of Chicago Avenue SW right-of-way, located within the City of Lakewood, Washington; and,

WHEREAS, in conformity with the legal requirements applicable for the vacation of public property, the Lakewood City Council passed Resolution No. 2013-04, setting a public hearing regarding this proposed vacation on April 15, 2013; and,

WHEREAS, pursuant to Lakewood Municipal Code section 12A.12.120, the City Council must consider certain factors prior to authorizing a vacation of public property; and,

WHEREAS, it is the finding of the City Council of the City of Lakewood that vacation is appropriate in this instance after full consideration of the factors stated in LMC 12A.12.120 in that vacation will benefit the public by returning the property to the tax rolls, in that the right of way is not needed for public use or access, and in that the vacation is likely to encourage development and redevelopment in the City; and,

WHEREAS, the City Council of the City of Lakewood, Washington, has considered all matters presented at the public hearing on the proposed vacation, hearing no objection to this vacation, and does hereby find that the vacation of said property is appropriate and that the transfer of property at issue in this matter in the manner set forth below is in best interests of the public.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as a non-codified ordinance as follows:

Section 1. That Chicago Avenue SW right-of-way, located within the City of Lakewood, Washington, as shown in the exhibit attached hereto, marked "Exhibit A" and incorporated herein by this reference, be vacated with the conditions stated in section 2 below.

Section 2. That the City of Lakewood reserves an easement for reconstruction, maintenance, and operation of all utilities that currently exist over, under, or on the area to be vacated until such time that the utility is relocated or abandoned and the easement is no longer needed.

Section 3. This vacation shall be effective when executed and recorded in the office of the Pierce County Auditor.

Section 4. This Ordinance shall be in full force and effect thirty (30) days after final passage.

ADOPTED by the City Council this 6<sup>th</sup> day of May, 2013.

CITY OF LAKEWOOD

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Don Anderson, Mayor

Attest:

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Alice M. Bush, MMC, City Clerk

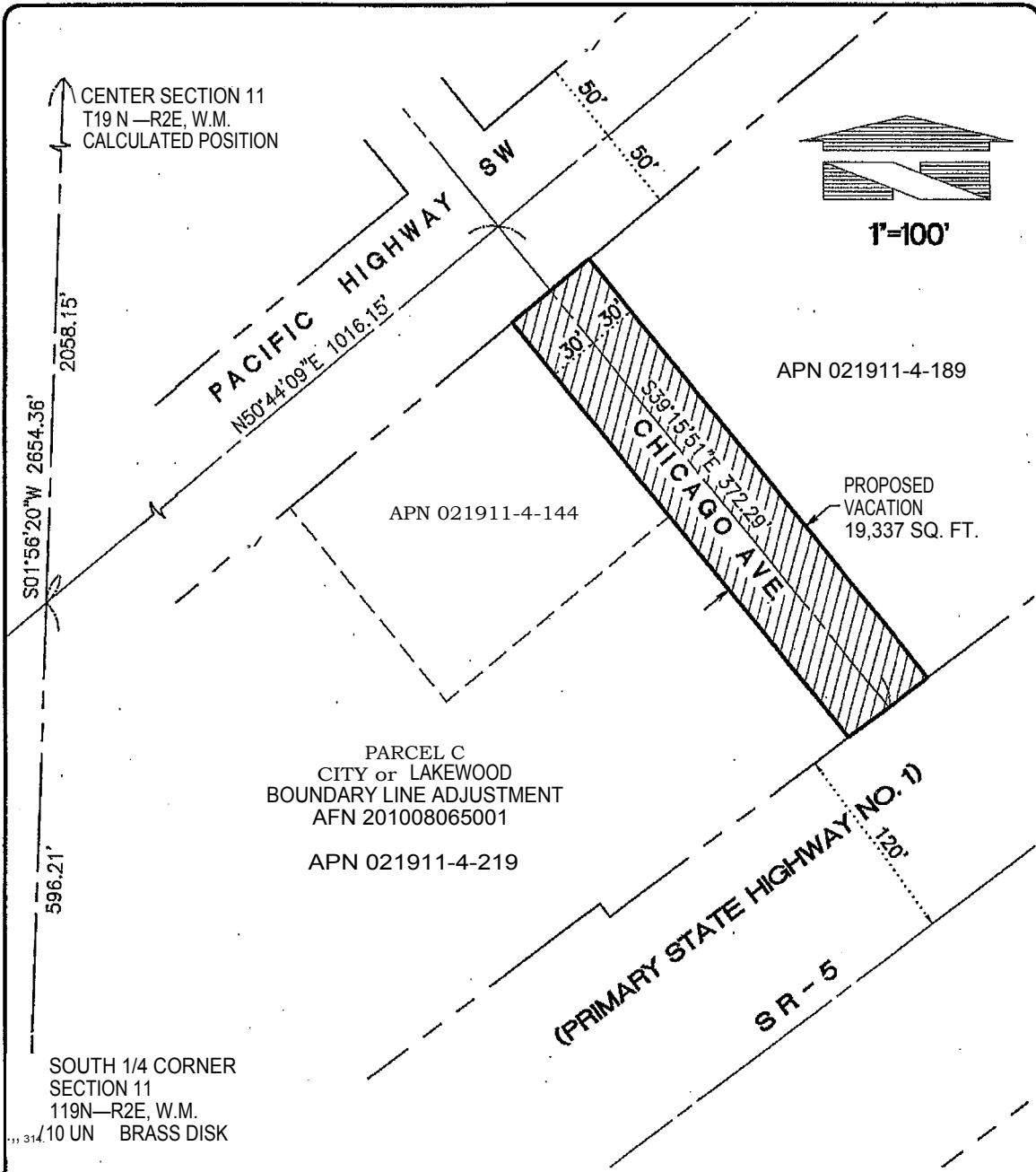
Approved as to Form:

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Matthew S. Kaser, Acting City Attorney

EXHIBIT "A"

That portion of Chicago Avenue in the Southwest quarter of the Southeast quarter of Section 11, Township 19 North, Range 2 East, W.M., situate in the City of Lakewood, Pierce County, Washington, lying between the Northwesterly margin of SR-5 (Primary State Highway No. 1) and the Southeasterly margin of Pacific Highway Southwest.



File:P:\15000A15729 surve\1 5729exh01 \_va at\on.dwg Date/Time:1/31/2013 11:35 AM KIM ANDERSON

SCALE: HORIZONTAL 1"=100' VERTICAL N/A	<b>For:</b> <b>CITY OF LAKEWOOD</b>	<b>JOB NUMBER</b> <b>15729</b>
 18215 72ND AVENUE SOLM <sup>1</sup> 49 KENT, WA 98032 425)251-6222 /125)251—8782 FAX CIVIL ENGINEERING, LAND PLANNING, SURVEYING, ENVIRONMENTAL SERVICES	<b>Title:</b> <b>RIGHT OF WAY VACATION</b>	15729L.003.DOC
		SHEET  of <u>1</u>
DESIGNED _____ PRAWN KMA	CHECKED _____ DJS 'APPROVED DJS	DATE 1/31/13

City of Lakewood  
Lakewood City Hall  
6000 Main Street SW  
Lakewood, WA 98499  
(253) 589-2489

**(Legal Notice)**  
May 7, 2013.

**NOTICE OF ORDINANCE PASSED  
BY LAKE WOOD CITY COUNCIL**

The following is a summary of an Ordinance passed by the City of Lakewood City Council on the 6th day of May, 2013.

**ORDINANCE NO. 561**

**AN ORDINANCE** of the City Council of the City of Lakewood, Washington, vacating a portion of Chicago Avenue SW.

Section 1 of the Ordinance provides that Chicago Avenue SW right-of-way, located within the City of Lakewood, Washington, as shown in the exhibit attached hereto, marked "Exhibit A" and incorporated herein by this reference, be vacated with the conditions stated in section 2 below.

Section 2 of the Ordinance provides that the City of Lakewood reserves an easement for reconstruction, maintenance, and operation of all utilities that currently exist over, under, or on the area to be vacated until such time that the utility is relocated or abandoned and the easement is no longer needed.

Section 3 of the Ordinance provides that this vacation shall be effective when executed and recorded in the office of the Pierce County Auditor.

Section 4 of the Ordinance provides that this Ordinance shall be in full force and effect thirty (30) days after final passage.

The full text of the Ordinance is available at the City Clerk's Office, Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington 98499, (253) 589-2489. A copy will be mailed out upon request.



Alice M. Bush, MMC, City Clerk

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